

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

NOVUS TECHNOLOGIES,LLC, et al.,

Defendants.

ORDER

AND

MEMORANDUM DECISION

Case No. 2:07-CV-235-TC

Pro se filer Jonathan Lee Riches, a federal prisoner, has filed a Motion to Intervene as Defendant under Federal Rule of Civil Procedure 24(b) and a Motion to Enforce Consent Decree and to Return Property. Rule 24(b) allows permissive intervention if the filer “is given a conditional right to intervene by a federal statute; or . . . has a claim or defense that shares with the main action a common question of law or fact.”

This is an SEC civil enforcement case, in which the SEC alleges securities fraud. Mr. Riches, in his motion, makes allegations that have nothing to do with the questions of law or fact pertaining to the case. And he does not cite to any statute, federal or otherwise, that gives him a conditional right to intervene. Rather, he states, for example, that “Novus Technologies aided and abetted in my identity theft providing me fake identifications, fake passports, and fake social security cards. I was arrested in 2003 for hacking into America Online with a Trojan horse spamming program. The SEC shut down my PayPal Account and froze my funds with Bank of

America. I seek the return of my Accounts.” (Dkt # 294.) The motion goes on with more of the same.

For what are probably obvious reasons, Mr. Riches’ motion to intervene (Dkt # 294) is DENIED. And so his Motion to Enforce Consent Decree and for Return of Property (Dkt # 295) is also DENIED, as it is not properly before the court and is moot.

SO ORDERED this 2nd day of July, 2008.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge